



Texas Department of Criminal Justice

H4C-2
STEP 1OFFENDER
GRIEVANCE FORM

Offender Name: Brian Catman TDCJ # 2097131
 Unit: Willacy Housing Assignment: 4C-2
 Unit where incident occurred: Willacy

OFFICE USE ONLY

Grievance #: _____
 Date Received: _____
 Date Due: _____
 Grievance Code: _____
 Investigator ID #: _____
 Extension Date: _____
 Date Reid to Offender: _____

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)?

What was their response?

What action was taken?

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

On 12-1-21 I went to the Law Library and asked Mr. Knight for the 3rd time in 3 weeks for an updated copy of both the MTC & UTMB employee rosters but Mr. Knight refused to produce these documents claiming that he did not have them. DEC 6 2021
 DEC 9 2021 DEC 9 2021 12-1-21
 I do not have updated rosters
 Mr. Knight refused to provide me with employee rosters

2nd Submission

Dear UGI Harper, The Law Librarian is required by law to provide me with these employee rosters. I am entitled to know your first & last name, your rank or position of employment because this information is a vital part of due process of law, which you are currently in violation of for denying this grievance on the false grounds that it is inappropriate. I am not asking for monetary damages or disciplinary action as you highlighted on Appendix B. Please check with Mr. Knight before you decide to deny my grievance on such false grounds or please explain what part of my grievance is "inappropriate".

* Additionally, Please See Texas Penal Code § 39.04(a)(1)

Attachment (A) Texas Penal Code § 39.04(a)(1)(b)

Attachment (B) & (C) Prisoner's Civil Rights Complaint form.

I am positive that a Federal Judge will not find my request

DEC 9 2021

DEC 9 2021

DEC 14 2021

use for information (Discovery) "inappropriate". By denying this grievance, you are "impeding" the exercise of my due process. please process my grievance & have it signed by the Warden.

Thank You

DEC 09 2021

DEC 14 2021

DEC 09 2021

DEC 14 2021

DEC 14 2021

Action Requested to resolve your Complaint. Please provide me access to current MTC & UTMB employee rosters so that I can copy them down. DEC 06 2021

Offender Signature: Brian S. Catron

Date: 12-5-21

DEC 14 2021

Grievance Response:

Signature Authority:

Date:

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- ☐ 1. Grievable time period has expired.
- ☐ 2. Submission in excess of 1 every 7 days. *
- ☐ 3. Originals not submitted. *
- ☐ 4. Inappropriate/Excessive attachments. *
- ☐ 5. No documented attempt at informal resolution. *
- ☐ 6. No requested relief is stated. *
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. *
- ☐ 8. The issue presented is not grievable.
- ☐ 9. Redundant, Refer to grievance # _____
- ☐ 10. Illegible/Incomprehensible. *
- ☒ 11. Inappropriate. *

UGI Printed Name/Signature:

K. Harper

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority:

OFFICE USE ONLY

Initial Submission

UGI Initials: KH

Grievance #: 2022037340

Screening Criteria Used: 11-899

Date Recd from Offender: 12/06/2021

Date Returned to Offender: 12/06/2021

2nd Submission

UGI Initials: KH

Grievance #: 2022038969

Screening Criteria Used: 11-899

Date Recd from Offender: 12/09/2021

Date Returned to Offender: 12/09/2021

3rd Submission

UGI Initials: KH

Grievance #: 2022040670

Screening Criteria Used: 11-899

Date Recd from Offender: 12/14/2021

Date Returned to Offender: 12/14/2021

GV# 2022037340

#2097131

Date Read 12/6/21
Date Returned 12/6/21

Texas Department of Criminal Justice
INSTRUCTIONS ON HOW TO WRITE AND SUBMIT GRIEVANCES

1. *Grievance forms are available from the law library, housing area, shift supervisors, or by contacting the unit grievance office. After completely filling out the form, place it in the grievance box yourself or hand it directly to the grievance investigator on your unit. Step 2 appeals must be accompanied by the original, answered Step 1.*
2. An attempt to informally resolve your problem must be made before filing a grievance. *Informal resolution* is defined as any attempt to solve the issue at hand and must be noted on the Step 1 grievance form (I-127). You have 15 days from the date of the alleged incident or occurrence of the issue presented in which to complete the Step 1 grievance form and forward it to the unit grievance investigator (UGI). The Step 1 process may take up to 40 days from the date the unit grievance office receives the Step 1 form to respond. Disciplinary appeals are required to be completed within 30-days. If you are not satisfied with the Step 1 response, you may appeal the Step 1 decision by filing a Step 2 (I-128). You have 15 days from the date returned to offender on the Step 1 to submit the Step 2 to the grievance investigator on the unit. The Step 2 process may take up to 40 days to provide you a written response or 45 days for medical grievances. *Present only one issue per grievance.*
3. *Additional time* may be required in order to conduct an investigation at either Step 1 or Step 2 and in either case; you will be *notified of the extension in writing.*
4. *Complete your grievance using a typewriter or dark ink. If you need assistance filing a grievance or understanding a response, contact your unit grievance investigator.*
5. *The following issues are grievable through the Offender Grievance Procedure.* Remember that you may only file a grievance on issues that PERSONALLY APPLY TO YOU unless you are reporting a sexual assault, sexual abuse, or sexual contact on behalf of another offender.
 - * The interpretation or application of TDCJ policies, rules, regulations, and procedures.
 - * The actions of an employee or another offender, including denial of access to the grievance procedure.
 - * Any reprisal against you for the good faith use of the grievance procedure or Access to Courts;
 - * The loss or damage of authorized offender property possessed by persons in the physical custody of the Agency, for which the Agency or its employees, through negligence, are the proximate cause of any damage or loss.
 - * Matters relating to conditions of care or supervision within the authority of the TDCJ, for which a remedy is available.
6. *You may not grieve:*
 - * State or federal court decisions, laws and/or regulations,
 - * Parole decisions;
 - * Time-served credit disputes which should be directed to the Classification and Records, Time Section;
 - * Matters for which other appeal mechanisms exist;
 - * Any matter beyond the control of the agency to correct.
7. *Established criteria that may be applied to regular grievances, to ensure that the offender has used the grievance program responsibly;* however, most grievances may be corrected and resubmitted within 15 days from the signature date on the returned grievance.
 - * Grievable time period has expired. (Step 1 grievances must be submitted within 15 days from the date of incident and Step 2 Appeals must be submitted within 15 days from the date returned to offender on the Step 1.)
 - * Submission in excess of 1 every 7 days. (All grievances received in the grievance office will be reviewed; however, only one grievance will be processed every Seven days [with the exception of disciplinary appeals, medical grievances, and emergency grievances].)
 - * Originals not submitted. (Carbon copies are not considered originals even if they have an original signature. The original answered Step 1 must be submitted with a Step 2 Appeal.)
 - * Inappropriate/excessive attachments. (Your grievance must be stated on one form and in the space provided. Attach only official documents that support your claim, such as I-60's, sick call requests, property papers, and other similar items)
 - * No documented attempt at informal resolution. (You are required to attempt to resolve issues with a staff member prior to filing a grievance. Remember, the attempt must be documented in the space provided on the I-127 form.)
 - * No requested relief is stated. (The specific action required to resolve the complaint must be clearly stated in the space provided.)
 - * Malicious use of vulgar, indecent, or physically threatening language directed at an individual.
 - * The issue presented is not grievable. (Refer to #6 above.) **Disciplinary appeals will not be processed until after the disciplinary hearing.**
 - * Redundant. (You may not repeatedly grieve matters already addressed in a previous grievance)
 - * The text is illegible/incomprehensible. (Write your grievance so that it can be read and understood by anyone.)
 - * Inappropriate. (You may not ask for monetary damages or any form of disciplinary action against staff.)

Do not use a grievance form to comment on the effectiveness and credibility of the grievance procedure; instead, submit a letter or I-60 to the administrator of the Offender Grievance Program.

GV# 2022038969
Read 12/6/21
Returned 12/6/21

title 8

Ch. 39

Texas Penal Code:

§ 39.04 - violation of the civil Rights of a Person in Custody

(a) An official of a correctional facility, an employee of a correctional facility, a person other than an employee who works for compensation at a correctional facility, a volunteer at a correctional facility, or a peace officer commits an offense if the person intentionally:

(1) denies or impedes a person in custody in the exercise or enjoyment of any right, privilege, or immunity, knowing his conduct is unlawful;

(b) An offense under Subsection (a)(1) is a Class A misdemeanor

Attachment
(A)





Texas Department of Criminal Justice
STEP 2 **OFFENDER**
GRIEVANCE FORM

OFFICE USE ONLY

Grievance #: _____
 UGI Recd Date: _____
 HQ Recd Date: _____
 Date Due: _____
 Grievance Code: _____
 Investigator ID #: _____
 Extension Date: _____
 Date Retd to Offender: _____

Offender Name: Brian Oatman TDCJ # 2097131
 Unit: Willacy Unit Housing Assignment: _____
 Unit where incident occurred: Willacy Unit

You must attach the completed Step 1 Grievance that has been signed by the Warden for your Step 2 appeal to be accepted. You may not appeal to Step 2 with a Step 1 that has been returned unprocessed.

Give reason for appeal (Be specific). *I am dissatisfied with the response at Step 1 because...*

By filing this Step 2 Grievance Appeal I have Successfully exhausted all administrative remedies in accordance with the prison Litigation Reform Act (PLRA). This grievance is about interference with "Access to Courts", and should be graded as such. I am dissatisfied with the response to my step 1 because UGI Harper refuses to have it signed by the Warden.

There is absolutely nothing wrong with my requesting the basic information needed to fill out legal documents such as I-60's Grievances & 1983 civil Complaints. MTC and the Willacy Unit are the only units I have been to which do not provide offenders with a Unit orientation Handbook that gives the names and titles of specific dept heads. These handbooks specifically instruct the offenders to "direct I-60's to the appropriate dept heads." Step One Grievances ask for the employee's name & title & 1983 civil Complaints request Defendant's full name, title or rank and work mailing address. This is the reason that all TDCJ units maintain Employee Rosters in the Law Libraries. MTC employees do not wear nameplates, so these rosters are needed in

YOUR SIGNATURE IS REQUIRED ON BACK OF THIS FORM

(OVER)

order to properly fill out Legal Documents. The simple act of requesting this information is in no way inappropriate. What is inappropriate is UGI Harper's & Mr. Knight's impeding my access to the Courts. 12-13-2021

Offender Signature: Brian S. Oatman

Date: 12-13-2021

Grievance Response:

Signature Authority: _____

Date: _____

Returned because: *Resubmit this form when corrections are made.

- ☐ 1. Grievable time period has expired.
- ☐ 2. Illegible/Incomprehensible. *
- ☐ 3. Originals not submitted. *
- ☐ 4. Inappropriate/Excessive attachments. *
- ☐ 5. Malicious use of vulgar, indecent, or physically threatening language. *
- ☐ 6. Inappropriate. *

CGO Staff Signature: _____

OFFICE USE ONLY

Initial Submission

CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) ☐ Screened ☐ Improperly Submitted

Comments: _____

Date Returned to Offender: _____

2nd Submission

CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) ☐ Screened ☐ Improperly Submitted

Comments: _____

Date Returned to Offender: _____

3rd Submission

CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) ☐ Screened ☐ Improperly Submitted

Comments: _____

Date Returned to Offender: _____

NON-GRIEVABLE ISSUES

- ☐ Direct this issue to Director's Review Committee (DRC).
- ☐ Direct this issue to the Classification and Records – Time Credit Section.
- ☒ You may not submit a Step 2 appeal with a Step 1 grievance that was screened and returned to you unprocessed. If you feel that the Step 1 was returned in error, you may contact the grievance investigator for clarification.
- ☐ Disciplinary matters will not be addressed prior to the hearing. If you are not satisfied with the outcome of the hearing submit a Step 1 grievance form stating the reasons for the appeal within 15 days of the hearing date.

Grievance Investigator: _____

K. Harper

DEC 14 2021

RE: File#20-1299 Unidentified & File#20-1839 Unidentified MD

"So many people with substance use disorder do not have their co-occurring mental or physical conditions identified, accurately diagnosed, and effectively treated. The price they pay-----and that we pay too in their high use of medical & social services-----is great in human suffering, family disruption and stress, and the draining of personal & Governmental treasures."

----Lloyd I. Sederer, MD----

"Doctors are men who prescribe medications of which they know little, to cure diseases of which they know less, in human beings of whom they know nothing."

----Voltaire----

File # 20-1299 Unidentified: Carpenter, Cheryl D. --MED

File# 20-1839 Unidentified MD: Cota, Francisco J. --MD

Texas Tech Managed Health Care
HQ Plaza, 5307 W. Loop 289 Ste, 202
Lubbock, TX 79414

Dear Texas Medical Board:

I am in the process of collecting information that you have requested with regard to your letters sent to me on Oct. 25, 2019 & Nov. 7, 2019. The doctors, psychologist & mental health staff in question are employees of the Texas Tech Managed Health Care, HQ plaza, 5307 West Loop 289, Ste 202 Lubbock, TX 79414. This organization contracts with the Texas Dept. of Criminal Justice (TDCJ) to provide very limited health care services to inmates such as myself.

One thing that you should know is that shortly after receiving your Nov. letter, I was "medically re-assigned", classified as being "heat sensitive", & sent to a hotter environment in Beeville, TX on Dec. 10, 2019. I truly believe that this new, "suspect classification" is retaliation for having written to the Medical Board. I had been incarcerated in Texas in extremely hot conditions & on medications that put me at an increased risk for heat related illness & death but was not told that I was "heat sensitive" nor assigned to "cool-bed" housing until after, I filed complaint with your organization.

Additionally, I have been trying to pay for copies of my medical records to send to you. I have the money but am being denied copies citing Covid-19 as the reason to deny me copies. I requested copies of my medical records on 4/29/20, 5/19/20, & 9/8/20 respectfully.

I was kept at the McConnell Unit in Beeville, TX from Dec. 16, 2019 until March 17, 2020, when I was told once again that I had been, "medically re-assigned" & sent to live in the High Security Bldg. here at the Allred Unit in Iowa Park, TX, Even though I am not, "high security". I truly believe that I am being punished along with others for writing to your organization & filing grievances.

This new "cool-bed" classification that I am now listed under is a suspect classification & it is unknown what information was used to determine this new "cool-bed" classification. All that I am told is that I have one or more health issues which cused me to obtain this classification.

You should know that this classification was created due to a lawsuit won against TDCJ in Federal Court over heat-related-deaths at the Pack Unit. Jefferey Edwards Attorney at law, Hachnel Building, 1101 East 11th Street, Austin, TX 78702 is the Attorney who represented the inmates who won this suit. I am a General Population (GP) inmated but after writing to the Texas Medical Board my freedom & rights have been taken from me. I am now housed in the High Security (HS) building (which was built for punishment of G-4 & G-5 inmates, not G-2's like myself). I am overcrowded, two to a cell in single man cells, which puts me at greater risk of contracting Covid-19 & is causing me to decompensate mentally due to constant sensory deprivation. Dr. Nathan Wright, DO (TTUHSC) has discontinued my non-steroidal anti-inflammatory medications that I use to treat my documented chronic Osteo-Arthritis & Degenerative disc & joint disease in my spine, without cause nor warning, causing me constant pain & stiffness. Dr Wright is delusional & has told me that this Global Pandemic is "Biblical & we are all F*cked". He also said that, "this system is f*cked-up. I believe anyone who has five year sentence or more should just be hanged. That would solve alot of problems." This is an interesting statement coming from a doctor who's patients are largely black & have lengthy sentences, not to mention that his job is to preserve life not end it.

I have not forgotten the reasons that I had originally written to you about & your requests for additional information but I may need your intervention to be able to collect that information for you. Lastnight I sent a fourth request for medical records to TDCJ's other Medical Contractor:

University of Texas Medical Branch Hospitals
UTMB Release of Information
301 University Blvd.
Galveston, TX 77555-0782
Ph# (409)772-9200

I have been incarcerated in the state of Texas since Oct. 17, 2015 & have been vended psychotropic medications the entire time using only temporary diagnosis. In fact, the Venlafaxin ER 75 MG capsules that I am now taking were the results of a short tele-health visit with Dr. Cota who asked me if there were any drugs that I liked. I thought about all of the inmates at every unit I've been to, selling these 150 MG pills for a dollar a peice & snorting them off of tables in front of cameras & guards & told Dr. Cota that I liked "Effexar". Doctor Cota then adjusted my diagnosis to match the drug I had requested on 11-18-19 he told me that I was "Bi-polar", he had previously told me on 10-7-19 that I had "mood disorder, schizo-affected disorder? (Icant remember which drugs he gave me without records) & on 7-11-19 he had told me that my diagnosis was "PTSD, chronic mood disorder".

I have been trying to get help for 15 yrs or more & am not interested in getting high off of psych meds as so many TDCJ inmates are doing with impunity thanks to UTMB & TTUHSC "pill mill doctors".

In 2010-2011, I was sent for an evaluation by Forensic Psychiatrist, Dr. Joseph Buzogany & Dr. Luis Rivera, PhD, of Wellspan Behavioral Health, 3550 Concord Rd., York, PA 17402. These doctors are not under your jurisdiction but what they told me was that temporary diagnosis are only good for 6 months & are used to stabilize the patient. They went on to say that in order to legally & ethically continue to vend medications to the same patient, they must engage in a rigorous set of diagnostic tests to "rule-out" other possible diagnosis & develop a permanent diagnosis in accordance with the Diagnostic Statistical Manual fifth Edition (DSM-5). To the best of my knowledge, this has never been done in my case & most certainly has never been done here at TDCJ. These tests are supposed to consist of timed tests, trick questions, puzzles, ink blots etc. All of my Doctor visits for Mental Health have been conducted via telehealth in which I would talk to a doctor for a very short period of time & walk away with a prescription for controlled substances which inmates lovingly have pet names for because they eat & snort them like candy. Zoloft, dryl, houses, Bennys, C.O.'s etc, etc, etc.

I have a lengthy Mental Health history spanning from 2005 to the present, all the way from Pennsylvania to Texas & soon back. I don't believe that I have ever been properly evaluated so that I can get the proper treatment. Right now due to covid the mental health dept. is giving non-keep on person (KOP) drugs as keep on person drugs. They are issuing a whole months worth of abusable drugs & refusing to see patients for counseling. We have no visits & haven't had since March but inmates are still able to smoke & trade synthetic marijuana or K-2 for psych meds. Where do you think this K-2 is coming from? All inmates here at the Allred Unit should be tested for drug levels of all psych meds. I think you would be surprised how low & high they would be.

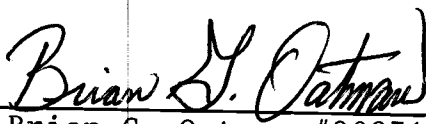
I am afraid to send you any medical records without having copies available to me. Our mailroom early on here, stopped a letter of mine that I had sent out to Human Rights Watch. They punched a hole in my stamp & envelope, opened the letter & sent it back to me without any post marks.

Could you please help me to collect evidence for my complaints? I am being punished for writing to you.

"The ultimate tragedy is not the oppression & cruelty by the bad people, but the silence over that by the good."

---Martin Luther King Jr.---

Warmly,

x 
 Brian G. Oatman #2097131
 James V. Allred Unit
 2101 FM 369 N.
 Iowa Park, TX 76367

SUBJECT: State briefly the problem on which you desire assistance.

My travel Card should have me listed as "Native American" religion. Why have I been sent to a Unit that does not recognize my religion & that is not a designated Native American Unit?

Name: Brian B. Oatman No: 2097131 Unit: Willacy
 Living Quarters: 2A - 40 bottom Work Assignment: _____

DISPOSITION: (Inmate will not write in this space)

It does show Native American. Ask chaplain about a unit transfer.

5/18/21 KParmer

Name: Darman, P. 2001 TDCJ# 20971131 Housing: B32A

The Texas Department of Criminal Justice recently started housing offenders with certain health conditions in air-conditioned housing. You have one or more of those conditions. This classification decision is based on many health factors, and the TDCJ does not permit offenders to opt out of this classification. Any refusal to take prescribed medications will not affect this housing decision. For your own health and safety, you are strongly encouraged to continue all medications as recommended by your provider.

The HEATS score was developed by the Texas Department of Criminal Justice (TDCJ). Texas Tech University Managed Healthcare contracts with TDCJ to provide healthcare services. Neither organization has provided information on the components of the HEATS score to the healthcare staff of the James V. Allred Unit. The HEATS score is not part of the offender medical record.



11/18/2020

I-60Mental Health

1-22-2021

SCANNED

Please drop me from the Mental Health case load & stop ~~me~~ all of my medications. I am refusing Mental Health Counseling & treatment & I reject this Bogus Bipolar I Diagnosis & challenge you to show proof that I'm Bipolar I or any other of your "Temporary" Diagnostic fallacies. I request to be sent back to my prior Unit of Assignment where I can attend my Native American Spiritual Support groups & outdoor Worship Services. This windowless Air Conditioning is killing me; I am physically sick from these torturous conditions. Thank You *Brian G. Oatman*

drop me from mental health case load.

Scheduled and seen 1/24/21

cc: to file &

B. M. M.

Director, Lumpkin

TDCJ-CID

Brian G. Oatman #2097131

HSC 2-33 Bottom F215

Allred Unit

Medically Unassigned

JAN 23 2021
MD 100

oh-tie IN

Mental Health
Medical

~~the~~ ~~many~~ ~~others~~

I-60

UGI Harper

12-7-2021

Please Provide me with the name and position of your direct supervisor.

Thank You!

Brian Oatman #2097131

H4C-2

Willacy Unit

Medically Unassigned

You are NOT entitled to ~~see~~ employee rosters.
Your grievances are being screened out as Inappropriate
because that is an inappropriate request.

— F. Harper UGI

DEC 09 2021

SUBJECT: State briefly the problem on which you desire assistance.

11/1/20

Could you please tell me what my Heat Score is?

I would also like to get copies of my Medical, Dental, Mental health, Lab, X-ray records as well as copies of my Sick Call requests that have been Scanned into the system.

SCANNED

Name: Brian Oatman

No: 2097131

Unit: Allred

Living Quarters: HSB 219

Work Assignment: Unassigned Medical

DISPOSITION: (Inmate will not write in this space)

See attached HEAT'S score response.

EE Radburn

NOV 18 2020

RValon